

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

EV049563846

As a below named inventor, I hereby declare that:

December 21, 2004

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LOAD BALANCING IN DATA NETWORKS

the specification of which (check one)

XXX is attached hereto.

_____ was filed on _____ as United States Application Number _____

or PCT International Application Number _____

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, '119(a)-(d) or '365(b) of any foreign application(s) for patent or inventor's certificate, or '365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u>02014116.4</u>	<u>EUROPE</u>	<u>June 24, 2002</u>	<u>XX</u> Yes <u> </u> No
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<u> </u> Yes <u> </u> No
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<u> </u> Yes <u> </u> No
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. '119(e) of any United States provisional application(s) listed below.

<u> </u>	<u> </u>
(Application Number)	(Filing Date)
<u> </u>	<u> </u>
(Application Number)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. '120 of any United States Application(s), or '365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. '112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR '1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PCT/IB2003/002409</u>	<u>June 20, 2003</u>	<u>PENDING</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

CUSTOMER NO.: 00877

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December 21, 2004

Send Correspondence to: 00877Direct Telephone Calls to: (name and telephone number) Louis P. Herzberg - (914) 945-2885Hoyt Edwin Bowen, Jr.**Full name of sole or first inventor**

Inventor's Signature

Date

1203 Balmoral Drive, Cary, NC 27511

Residence

United States

Citizenship

Same as above

Post Office Address

Patrick Droz**Full name of second joint-inventor, if any**

Inventor's signature

Date

Alte Landstrasse 105, CH-8803 Rueschlikon, Switzerland

Residence

Switzerland

Citizenship

Same as above.

Post Office Address

Lukas Kencl**Full name of third joint-inventor, if any**

Inventor's signature

Date

122 Richmond Rd., Cambridge CB4 3PT, United Kingdom

Residence

Czech Republic

Citizenship

Same as above.

Post Office Address

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December 21, 2004

Bernard Metzler

Full name of fourth joint-inventor, if any

Inventor's signature

Date

Stapferstrasse 21, CH-8006 Zurich, Switzerland

Residence

Germany

Citizenship

Same as above.

Post Office Address